



Entered on Docket
May 14, 2010

A handwritten signature in black ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
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U.S. Bank National Association, as Trustee for the C-BASS Mortgage Loan Asset-Backed
Certificates, Series 2006-CB5
10-70663

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Richard B. Bernard and Maria J. Bernard

Debtors.

BK-S-09-24257-lbr

MS Motion No. 37

Date: April 28, 2010

Time: 10:30 am

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing
in the above-entitled Court, all appearances as noted on court record, and based upon all the
papers and pleadings on file herein and good cause appearing therefore.

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the
2 post-petition arrearages currently due as follows:

3 4 Monthly Payments at \$1,865.06	\$7,460.24
(January 1, 2010 - April 1, 2010)	
4 4 Late Charge(s) at \$93.25	\$373.00
(January 1, 2010 - April 1, 2010)	
5 Motion for Relief Filing Fee	\$150.00
6 Attorneys Fees	\$750.00
Suspense Amount	(\$2.82)
7 Total	\$8,730.42

8 The total arrearage shall be paid in six monthly installments. Payments in the
9 amount of \$1,455.07 shall be in addition to the regular monthly payment and shall be due on or
10 before the 20th day of the month commencing with the May 20, 2010 payment and continuing
11 throughout and concluding on or before October 20, 2010.

12 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
13 shall give Debtors at least five business days' notice of the time, place and date of sale.

14 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume
15 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
16 beginning with the May 20, 2010 payment, on Secured Creditor's Trust obligation, encumbering
17 the subject Property, generally described as 10382 Catchlaw Ct. , Las Vegas, NV 89135, and
18 legally described as follows:


19 Lot 100 in Block B of Lewis Homes-Heatherwood NO.1 in Summerlin, as shown by map
20 thereof on file in Book 78 of Plats, Page 97 in the Office of the County Recorder of Clark
County, Nevada.

21 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make
22 any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured
23 Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file
24 and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of
25 Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an
26 attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth
(16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this
Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may

1 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable
2 State Law, and take any action necessary to obtain complete possession thereof.
3

4 Submitted by:

5 WILDE & ASSOCIATES

6
7 By  #10235
8 GREGORY L. WILDE, ESQ.
9 Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

10 APPROVED AS TO FORM & CONTENT:

11 Rick A. Yarnall

12 By  5-6-10

13 Rick A. Yarnall
14 Chapter 13 Trustee
15 701 Bridger Avenue #820
Las Vegas, NV 89101

Narrah F. Newark

By 

Narrah F. Newark
Attorney for Debtors
201 LAS VEGAS BLVD., S., #350
Las Vegas, NV 89101

Nevada Bar No. 2763

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor